IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4158 OF 2004

IN

FIRST APPEAL NO. 409 OF 1989

S. B. Savla ..Appellant

versus

Mrs. Ratinam R. Subhaiya & Ors. ..Respondents

Mr. L. H. Rambhia for the Appellants.

None for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 25TH OCTOBER,2005

P.C. :

1. Heard Advocate for the Appellant.

2. This civil application is for restoration of appeal which was dismissed for non supplying of paper book within time. Advocate for the Appellant states that the paper book is ready.

3. Notice was issued of this Application. It

is served upon the respondents. Nobody is present for the Respondents.

4. Looking to the facts and circumstances, this application is allowed. Appeal is restored to file. Appellant to file paper book on or before 20.11.2005, positively, without fail. If the paper book is not filed within the stipulated time, the order of dismissal of the appeal will stand as it is. Due date of hearing will be given after the compliance is over.

5. Ad interim order granted by Smt. Ranjana Desai, J. to continue.

6. Civil application is disposed of accordingly.

25.10.2005 (D.G. DESHPANDE, J.)